IMPORTANT SUPERIOR COURT DECISION.

John Jacob Astor Asking to Vacate Assessments.

## ABSTRACTS OF DECISIONS.

In the suit brought by the city against Edward Mariner and William M. Tweed for \$350,000. through the fraudulent auditing of bills a motion was made yesterday, before Judge Lawrence, in Supreme Court, Chambers, for a bill of particulars, A similar motion was also made in the suit brought by George S. Miller against William M. Tweed, in which the former claims \$500,000 as now owing to him by the ex-Boss. Judge Lawrence took the papers in both cases.

Judge Donohne gave a decision yesterday in the injunction proceedings brought by Edward Van Ranst against the New York College of Veterinary Surgeons. He decides that Mr. Van Ranst is en-titled to a seat in the Board of Trustees.

Yguacia Haya, doing business in Maiden lane as a cigar manufacturer, was yesterday held for examination by Commissioner Snields, charged with seiling a quantity of cigars not legally brand-ed. His ball was fixed at \$2,000, which Mr. Haya

furnished, and was discharged.

William L. Elmore and Abraham Spencer were severally charged with seiling a quantity of cigars not properly stamped, with intent to defrand the mination by Commissioner Shields.

An examination was held yesterday by United States Commissioner John A. Osborn, in the case of Gustave W. Ball, charged with aiding and assisting in the concealment of dry goods for the purpose of avoiding the payment of duty. Thomas Hardy a truckman, testified that in October and November as brought goods from the Hamburg dock, and left them in front of No. 94 Warren street. This place is kept by Messra M. L. Graff & Co., importers of ilquors, by whom Ball is employed. The examination is still on.

The case of Carl Vogt bids fair to be interminable, notwithstanding the efforts that have been put forward to secure an order of extradition against the accused, who is charged with the murder and robbery of the Relgian nobleman, Count Blance, of Brussels, to 1872. Vogt swore yesterday his name was Joseph Stapp; that he took the name of Vogt when leaving Beigium, deserting his wife, whose property he had previously disposed of for \$11,000, and it was, he said, with this money that he subsequently bought from a stranger the bonds which led to his accusation and arrest. Ex-amination postponed till Saturday next.

A test case was decided yesterday in the United States Circuit Court, before Judge Wallace and a jury, in which T. B. Stuck, a manufacturer of cigars, brought an action against T. B. Coater, revenue collector of the Eighth district, to recover \$69 paid by him under protest on a quantity of cigars manufactured by him. The Collector charged that Mr. Stuck had not made a proper return as required by law; that there was more than a thousand cigars manufactured from the prescribed weight of material, thirty pounds, than the law re \$69. The plaintiff brought the action to recover, disputing the constitutionality of the law. The jury found a verdict for Mr. Stuck for the full

JOHN JACOB ASTOR'S ASSESSMENT. An assessment smounting to \$37,000 was laid on the property of John Jacob Astor for benefits ac-cruing from the widening of Broadway. He brought suit against the city, asking to have the entry in the list of assessments, so far as it affected his lots, cancelled and removed as a cloud upon his title, and that the assessment should be adjudged void and that the defendants be restrained from collecting the assessment, and also that they be restrained from taking any proceed-ings therefor either by sale or otherwise. It was claimed by the plaintiff that the assessment was not only excessive, but was absolutely void, by reason of irregularities in the advertising and in the formal action of the Commissionera. By an act passed May 7, 1872, it was sought to remove objections arising from detects in the pro-ceedings imposing assessments for local improveprovement or other public work in the said city already completed or now being made or per-tormed shall herealter be vacated or set saids for or by reason of any omission or irregularity in ad-vrising any ordinance, resolution, notice or other proceeding relative to or authorizing the improvement or work for which such assessment improvement or work for which such assessment shall have been made or improved, or for proposals to do the work, or for or by reason of the omission of any officer to perform any duty imposed upon him, or for or by reason of any derect in the authority of any department or officer upon whose action the assessment shall in any manner or to any extent depend, or for or by reason of any omission to comply with or carry out any detail of any law or ordinance, except only in cases in which fraud shall be shown and in cases of assessment for any law or ordinance, except only in cases in which fraud shall be shown and in cases of assessment for repairing any street or public place, upon property for which an assessment has once been paid for paying the same street or public place, and all property in said city benefited by any improvement or other public work, already completed or now being made and performed, except as aforesaid, shall be liable to assessment for such improvement or other public work shall be represented in assessments for any such improvement or other public work shall be valid and binding, betwinstanding any such omission, irregularity, detect or authority or technicality."

The question arose upon the statute as to its effect on the power of the Court to grant the relief sought for. Judge Curtis, who delivers the opinion of the Court, toilows the accision of Len-Irregularity, delect or authority or technicality."

The question arose upon the statute as to its effect on the power of the Court to grant the relief sought for. Judge Curtis, who delivers the opinion of the Court, tollows the decision of Lennon vs. The Mayor, and holds that the plaintiff is not deprived of his property by reason of an attempt, and outstanding record of the assessment, although he may be incovenienced by the apparent lien on his land. He holds, further, that he has no such constitutional right for the removal of such cloud to the interposition of a court of equity, that he may not be deprived of the special remedy by the Logislature, and that the Legislature has deprived the courts of the power to give him the benefit of his remedy sad remitted him to the relief in which the constitution protects him, when an effort is made to enforce the precented hen by taking the property or resisting its confection or the title of any purchaser who may claim under it. It does not appear in this case, the Judge holds, that anything is being done to destrive Mr. Astor of his property, the three years allowed by law for selling the same not having expired when the sint was begun. What counsel for the defendant vaguely admitted, that proceedings had been taken to ward its collection, furnishes no oasis upon which a court of equity can exercise a discretionary power, granting an injunction or other relief. The decision by the Court of Appeals renered to must, therefore, govern this case; and where the remedy sought for appears to have been considered carefully, and after this class of suits deemed to have been aborgated, and after January I, 1972, proceedings tastituted. The judgment absolute, with costs, ordered for delenant.

Suppleme COURT—Special Term

## SUPREME COURT-SPECIAL TERM. . Before Judge Van Brunt.

A COMPLAINT DISMISSED. In the sait brought by Simon J. Abern against William H. Goodspeed, the particulars of which have been heretofore published, decision was Signo, giving as collateral security 200 shares in the Mutual Gas Light Company. Subsequently notes were given for the amount of the indebtedness at welve per cent interest, and the same bought by the defendant as business paper. The sum Brunt held that Bound & Co, were the plaintiff agrents, and that there was not enough shown to put the defendant on inquiry. He therefore dismissed the complaint.

SUPREME COURT—CIRCUIT—PART 3.

Before Judge Donohue.

INJURED BY AN ELEVATOR.

Mrs. John McCall was injured through the failing of an elevator at 24 William street, Her Masband brought suit against William H. Jenkins for \$5,000 given yesterday. The plaintiff owed Bound & Co. \$18,000, giving as collateral security 200 shares in

camages. The defense was that he was only a tenant and therefore not responsible in any way for damages in the case. The trial began yester-day and will probably occupy a day or two.

OFFICERS OF THE GENERAL SESSIONS. Robert Grace brought suit against the city for his sainty as one of the officers of the Court of General Sessions. It was shown that he received his appointment from the Sheriff, and the question was as to whether such an appointment was valid. The Courts o held, and directed a verdict for the full amount claimed.

SUPERIOR COURT-GENERAL TERM Before Judges Curtis, Speir and Friedman. ABSTRACTS OF DECISIONS RENDERED.

A batch of decisions was given yesterday in the Superior Court, General Term, upon cases argued at the last term of the Court. An epitome of the opinions given in the more important cases is

given below.

Elisha D. Whitney, assignee of Riordan, Assistant Inspector in the Department of Finance, brought suit against the city for the latter's saisary. The defence was that Riordan did not attend all the morning roll calls. The Court decided that this was not necessary, and affirmed the judgment of the court below, giving a verdict against the city.

this was not necessary, and affirmed the judgment of the court oclow, giving a verdict against the city.

do the suit of Van Nostrand vs. The New York Guarantee and Indemnty Company the judgment of the court below was also affirmed. The suit was to recurse halance claimed to be due in excess of advances made upon outs left with the defendants. The chief point was a stipulation that the defendants should not be liable except in case of green negligence, which, it was hold, was not established.

Another decision, involving a point of public interest, was that given in the suit of Schiffen vs. Pruden, it being a suit to compet the taking of title derived from John G. Dictz. The detence was that Mrs. Dietz had not released her dower. The reply was that she had been convicted of adultery. In rebuttal it was charged that the husband had also been guilty of adultery. The Court held that Mrs. Dietz atill retains her right of dower, and judgment was ordered for the delendant.

of dower, and judgment was ordered for the delendant.

The atlantic and Pacific Telegraph Company brought suit against the sureties of one of their employes, who, when discharged, was as alleged a defaulter. It was claimed by the desendants that the pianutifis knew that the employe in question was in arrears in his account two months before they discharged him, the arrears at that time being a very small aum, and that they should have notified them. The Court held that the defendants we e binding as to their surety, and affirmed the judgment given against them in the court below.

In the case of schreyer against the city in the Superior Court, on a contract made by the Department of Public Instruction with the plaintiff, assignor for suidding Public School No. 1 in Luciow street, Mr. B. 4. Dean for the Corporation Counsel, at a trial term of the Court in October last, moved to dismiss the complaint, on the ground that the contract was not the contract of the Corporation. The motion was granted and judgment given for the defendant. Mr. D. M. Porter, plaintiff's counsel, appealed to the General Term, and yesterday a decision was rendered by the Court, in which all the judges concurred, reversing that of the Trial Term.

COURT OF OYER AND TERMINER.

PLEAS OF GUILTT AND SENTENCES—CHARGE OF LABORNY AGAINST A SERVANT GIRL. Cases of minor interest occupied the attention of the Court of Oyer and Terminer yesterday, Judge Barrett being on the bench.

John Gray, indicted for burgiary in the third de-gree, pleaded guilty of an attempt at burgiary and was sentenced for one year to the Penitentiary.
Louis Hakelson, indicted for largeny irom the
person, pleasied guilty to an attempt and was sentenced for two years and six months to the State

tenced for two jears and six months to the State Prison.

Margaret Phetan was placed on trial, charged with steading a gold waten and chain, worth \$100, belonging to Margaret Gallagher, and a pair of bracelets, the projecty of Annie Winelan. The accused was a domestic, in the employ of Mrs. Gallagher. The prisoner was defended by Mr. John O. Mott, who used every means in his power to prove her innocence. The loss of the watch, for steating which she was only tried, was proved, and then the accused was examined. She deuted having taken the watch, but said the bracelets were given to her by another girl in exchange for a pair of 8th digloves. The jury went our at one o'dlock, and after some three hours' deliberation, not being able to agree upon a verdict, were discoarged.

DECISIONS.

SUPREME COURT-CHAMBERS.

By Jadge Donohue.

Martine vs. Lowenstein et al.; Mayer vs. Mayer; in the matter of Harmony Fire Insurance Company.—Orders granted:

In the matter of Hydiowski; Gliman vs. Redington; Van Ranst vs. New York College of Veterinary surgeone; Borbeck vs. Co-operative Building Association; Connelly vs. Dayton; Levi vs. Hirachield; Sectety for the Reiormation of Juvenile Delinquents, 2c. vs. Freigh; Beach vs. the Mayor, 2c.—Memorandum.

Gligengace vs. Meyer; Continental Insurance company vs. Woodworth.—Motions denied.

May vs. Good; Heoretty vs. McGuire; Orcutt vs. Lewis; Catherwood vs. Eric Railway Company; Bulleck vs. Sinnott.—Motions granted.

Stewart vs. Manhattan Market Company; Donnelly vs. How.—Granted.

Goldberg vs. Citys.—Stay granted.

Gopsiand vs. Mov.—Reference ordered.

Hurdick vs. Winship.—Motion granted Memoranum.

Thing vs. Hughes.—Order granted disminings.

randum.
Ibling vs. Hughes.—Order granted dismissing

SUPREME COURT-SPECIAL TERM. By Judge Van Brant.

Sonneborn vs. Lavarello.—Complaint dismissed
with costa. See opinion.
Fontans vs. Board of Police Justices of New
York.—Demurrer sustained. Anora vs. Goodspeed and another.— isomased. See opinion. Embury vs. Parks.—Motion denied. Settz vs. Smithson.—Findings settles.

SUPERIOR COURT-GENERAL TERM. Watson vs. Brennas, Saeriff, &c.—Jadgment amrmed. Opinion by Judge Curtis.
Astor vs. The hayor, &c.—Judgment of the Special Term reversed and judgment absolute for the defendants, with costs. Opinion by Judge Curtis.
Ladd vs. Arkel and others.—Reargument ordered.

Ladd vs. Arkel and others.—Reargument ordered.

By Judges Monell, Sedgwick and Speir.
Risley vs. Smith and others.—Exceptions sustanced, verdict set aside and new trial ordered, with costs to the delendants to abide the event. Opinion by Judge Sedgwick.

By Judges Freedman, Curtis and Speir.
Marphy et al. vs. Keres.—Judgment and order reversed and new trial ordered, with costs to appellant to abide the event. Opinion by Judge Freedman.

Schrever vs. The Mayor. &c.—Judgment reversed and new trial ordered, with costs to appellant to abide the event. Opinion by Judge Freedman.

Bruce et al. vs. Kelley et al.—Judgment affirmed, with costs. Opinion by Judge Freedman.

Webb vs. Vanderbilt et al.; Stoddard vs. Same; Sanders vs. Same; Laurie vs. Same; Trustees of Smith College vs. Same; Lorder vs. Same; Trustees of Smith College vs. Same; Lorder vs. Same; Trustees of Smith College vs. Same; Lorder vs. Same; Trustees of Smith College vs. Same; Lorder vs. Same; Trustees of Smith College vs. Same; Lorder vs. Same; Trustees of Smith College vs. Same; Dpinion by Judge Freedman.

Raynor et al. vs. Hosgland.—Judgment affirmed.

affirmed, with costs. Opinion of stage Freedman.

Raynor et al. vs. Hoagland.—Judgment affirmed, with costs. Opinion by Judge Freedman.

Atlantic and Pacific Telegraph Company vs. Barnes et al.—Exceptions overruled and judgment ordered for plantiff on verdict, with costs. Opinion by Judge Curtis, Judge Freedman dissecting. senting.
Suider vs. Pruden.—Judgment for defendant on
the case submitted, with costs. Opinion by Judge

the case submitted, with costs. Opinion by Judge Speir.

Whitney vs. the Mayor, &c.—Exceptions overruled and indgment ordered for plaintiff on the verdict with costs. Opinion by Judge Curtis.

Van Nostrand vs. New York Guaranty and Indemnity Company.—Judgment affirmed, with costs. Opinion by Judge Curtis.

Dillon et al. vs. Masterson.—Judgment reversed and new trial ordered, and order of reference vacated, with costs to appellants to abide the event. Opinion by Judge Curtis.

Hexter vs. Kurk.—Judgment affirmed, with costs, Opinion by Judge Curtis.

Randali vs. Dusenbury, Trustee, &c.—Judgment affirmed, with costs. Opinions by Judge Speir and Freedman.

Brewster et al. vs. Taylor.—Order granting new trial reversed, with costs. Opinion by Judge Speir.

By Judges Freedman and Curtis.

Weston et al. vs. Ketogam et al. Judgment reversed and new trist ordered, with costs to appellants to abled the event. Order affirmed, with costs. Opinions by Judges Curtis and Freedman.

By Judges Freedman and Speir.

Cary vs. Giegory: Bloodgood vs. Gregory.—Motions for certificate authorizing appeal to the Court of Appeals denied, with \$10 costs. Opinion by Judge Freedman.

COMMON PLEAS-SPECIAL TERM.

By Judge Larremore.
Sanderson vs. Peanoog, —Case settled.
Arnold et al. vs. Hessnorn.—Application to racate; order denied, without costs. COMMON PLEAS-GENERAL TERM.

Taylor vs. Jackson.—Judgment affirmed. Opinion by Judge Robinson.
Taylor vs. The Mayor. &c.—Judgment affirmed. Opinion by Judge J. F. Daly.
Tierney vs. Fessert.—Judgment affirmed. Opinion by Judge Larremore.
Rice vs. Cavanaga.—Judgment affirmed. Opinion by Judge Larremore.
Nickloy vs. Hasiett.—Judgment reversed; new trial ordered, Opinion by Judge Robinson.
Kondolph vs. The Mayor, &c.—Judgment reversed in the trial ordered, costs to abide event. Opinion by Judge J. P. Daly.
Tallman vs. Whitney.—Order appealed from affirmed. Opinion by Judge Robinson.
Freeman vs. Hudson River Railroad Company.—Judgment affirmed. Opinion by Judge Robinson.
Freeman vs. Crow.—Judgment reversed. Opinion by Judge Larremore.
Gorman vs. Kamak.—Order appealed from modified and affirmed. Opinion by Judge J. F. Daly.
Gorman vs. Kamak.—Order appealed from modified and affirmed. Opinion by Judge J. F. Daly.
Gorman vs. Kamak.—Order appealed from modified and affirmed. Opinion by Judge J. F. Daly.
Bazter vs. McDonald.—Judgment reversed, with

Gorman vs. Kamer. Resignant by Judge J. R. Daly.
Daly. Baxter vs. McDonald.—Judgment reversed, with costs. Opinions by Judges Robinson and Larremore.
McGrew vs. Mergan.—Judgment affirmed. Opinion by Judge Robinson.
Rice vs. Cavanagn.—Judgment affirmed. Opinion by Judge Robinson.
Brace vs. Surr.—Judgment reversed, new trial ordered to abide event. Opinion by Judge Larremore.
Brown vs. The Mayor, &c.—Judgment affirmed. Brown vs. The Mayor, &c.—Judgment amrmed. Opinion by Judge Robinson.

COURT OF GENERAL SESSIONS. Before Recorder Hackett.

IMPANELLING OF THE GRAND JURY. The February term of this Court commenced yesterday, His Honor, the Recorder, presiding. Assistant District Attorney Nelan represented the people. The Grand Jury was impanciled and briefly charged by the Recorder. Christian S. Delavan was selected to act as foreman.

ROBBERY IN THE PIRST DEGREE. John Ryan and Thomas O'Connell, who were in John Ryan and Thomas O'Connell, who were indicted for assaulting William L. Reston on the 23d of January and stealing \$1 10 from his person as he was wasking through the Bowery, pleaded guilty to an attempt at robbery in the first degree. His Honor, the Recorder, sentenced each of them to imprisonment in the State Prison at hard labor for the term of ten years.

BURGLARIES AND LABORNIES Thomas Deglain, a boy of sixteen. who was indicted for burgiary in the first degree, pleaded guilty to an attempt to commit that offence. It seems that on the 16th of last month the youthful criminal entered the residence of Angustus T. Gillender, No. 109 West Forty-eighth street, by a false key and stole \$25 worth of silverware. His Honor sentenced Deglain to the Penitentiary for

ton years.
George Williams pleaded guilty to an indictment

A similar plea was taken from Joseph Gaffney, who, in conjunction with Thomas Burton and James Cavanagh, effected a burgiarious entry into the liquor store of Thomas AcNeice, No. 208 Bleecker street. These prisoners were each sent to the Penitentiary for two years and six months.

FALSE PERSONATION AT A BANK. Oswald Reichart pleaded guilty to an indictment charging him with intending to delraud the East River Savings Institution, on the 12th of October, by falsely personating Carl Hirschl, a depositor in the bank, and asking in his name \$100. The pris-oner was sent to the State Prison for two years.

TOMBS POLICE COURT. Before Judge Smith.
A FELONIOUS AND PROBABLY PATAL ASSAULT.

Officer Francis Mallon, of the Fourteenth pre-Officer Francis Mallon, of the Fourteenth pre-cinct, yesterday made complaint against Ann Con-way for assaulting Hannah Logan, at No. 214 Mott street. It appears that the two women mentioned became involved in a quarrel which ended in blows, Ann striking Hannah several times over the head with a pitcher which sue held in her hand. Hannah being in Believue Hospital Ann was locked up to await her recovery, when a full complaint will be taken.

FIFTY-SEVENTH STREET COURT. Before Juage Flammer.

Patrick Duffy, a hack driver, was charged with the larceny of two watches and a gold chain. worth \$250, the property of Mr. Michael McGrath, a liquor dealer of the Nineteenth ward. McGrath and a iriend named Patrick Kearney engaged the and a iriend named Patrick Kearney engaged the prisoner's hack on Saturday night to convey them up town to the former's residence, and on arriving there Kearney got out to wake the people up, while MeGrath, who was somewat under the influence of liquor, remained asleep in the coach. On being awakened he claimed to have been robbed by Duffy, who thereupon delivered up one of the watches, which, he said, he had found in the coach. The remainder of the property has not been recovered. So Duffy was held for trial.

VIOLATION OF THE EXCISE LAW. John Comer, a liquor dealer on the corner of Fiftieth street and Broadway, was held for trial for a violation of the Excise law, by selling liquor and allowing the playing of cards in his place on the Sabuath. Several young men who had been arrested as gamblers in connection with the case were discharged.

HARLEM POLICE COURT.

Before Justice Morgan. Richard Jones, who on Sunday atternoon last shot his brother-in-law, Thomas McGurran, at no. 2,246 Second avonue, as lany reported in mon-day's Herald, was yesterday committed, without bail, to await the result of McGurran's injuries. The wounded man is in the Ninety-ninth street Reception Hospital, and a fatal termination of his wound is leared.

COURT CALENDARS-THIS DAY. COURT CALENDARS—THIS DAY.

SUFREME COURT—CHAMBERS—Held by Judge
awrence.—Nos. 23, 25, 33, 50, 79, 84, 85, 86, 90, 97,
09, 110, 118, 138, 137, 178, 182, 184, 196, 206, 207, 223,
204, 230, 234, 234, 240, 241, 242, 243.

SUPREME COURT—FENERAL TERM.—Adjourned
181 PRIME COURT—SPECIAL TERM—Held by Judge
'an Vorst.—Issues of law and fact.—Nos. 122, 72,
86, 11, 122, 127, 131, 132, 137, 138, 139, 144, 145, 146,
47, 149, 194, 155, 156, 157, 158, 159, 133, 74, 11, 65,

147, 149, 164, 165, 166, 137, 168, 169, 133, 74, 11, 65, 68.

\*\*SUPREME COURT—CIRCUIT—Part 2—Held by Judge Van Brunt.—Nos. 1018, 1082, 1896, 1306, 1122½, 680, 1502½, 448, 184, 348, 672, 1632, 468, 1588½, 1590½, 1830, 2110, 2100, 1640, 670. Part 3—Held by Judge Lawrence.—Nos. 1899½, 1691½, 2111, 2113, 1593½, 2107, 1325, 979, 1445, 283, 877, 1119, 879, 1003, 847, 947, 823, 871, 279, 1355, 1307, 1004, 773.

\*\*SUPERIOR COURT—TRIAL TERM—Part 1—Held by Judge Sedgwick.—Nos. 585, 27, 633, 175, 177, 841, 581, 515, 820, 1719, 681, 1029½, 313, 731, 715, Part 2—Held by Judge Curtus.—Nos. 28, 860, 924, 734, 126, 694, 746, 840, 332½, 1794, 650, 792, 1180, 708, 324–8UPERIOR COURT—GENERAL TERM—Adjourned until February 8.

2610, 1936, 2403, 2871, 1447, 1676, 2666, 2540, 2634, 2820, 2650.

COURT OF GENERAL SESSIONS—Held by Recorder Huckett,—The People vs. William Gil, robbery; Same vs. John Chambers, rape; Same vs. James Bu hanan, roobery; Same vs. Catharine Quinn, leionicitis assault and battery; Same vs. Otto Osward, burglary; Same vs. Otto Osward, burglary; Same vs. Charles H. Carroll, grand larceny; Same vs. Lallie Christie, grand larceny; Same vs. Lallie Christie, grand larceny; Same vs. Lallie Christie, grand larceny; Same vs. George McMullin, peut larceny.

COURT of Over and Terminer—Held by Judge Barrett.—The People vs. Thomas Dempey, felonious assult and battery; Same vs. James (J. Sames McGee and Joan O'Keele, Durliary; Same vs. John Golden, burglary; Same vs. James Quinn, grand larceny; Same vs. Lewis Jerome, grand larceny; Same vs. Lewis Jerome, grand larceny; Same vs. Albert Apell, peut larceny.

COURT OF APPEALS.

ALBANY, Feb. 1, 1875.
No. 5. Hugh Gardner et al., plaintiffs in error. vs. The People, &c., defendants in error-Argued by A. Oakey Hall, of counsel for plaintiffs in error, and by Charles S. Pairchild, Deputy Attorney General, for the people. No. 29. James A. Elmore, executor, &c., appel-lant, vs. Zipporah Jacques, respondent—Submit-ted.

ted.
No. 26. Maria Smith, respondent, vs. Jacob Veile, administrator. &c., appellant.—Argued by O. L. M. Baker, or counsel for appellant, and by H. A. Nelson for respondent.
Court adjourned.

Day calendar for Tuesday, February 2, 1875. — Nos. 42, 69, 96, 101, 102, 103, 106, 107.

THE CENTENNIAL.

Its Prospects Brightening Every Day.

The Distinguishing Features of the Coming Celebration-The Price of Admission Fixed at Fifty Cents.

The Centennial International Exhibition that is to take place in 1876 in Philadelphia is truly a century plant. It will bloom for the first time next year, but whether it will ever again bud and bloom is a problem that must be solved by time. It will be a unique feature of the history of this country, and valuable if the inattation should become fairly established, so that at the close of every century one like it should be held, marking the progress made during that period by the American people. made during that period by the American people. Imagine, a thousand years bence, what an interesting book may be written, showing the successive stages of discoveries that led to the flying machine, the regular balloon navigation between Europe and America and other wonders that will probably have been accomplished by that time. The apparent marvels of 1673 will appear mere child's play in 1976, and so, as science and ingenuity solve those things which are now the hidden mysteries of the creation, some of the visitors at one of these future, far distant world fairs will probably laugh at the generation that looked with wonder at the railroad and telegraph.

How MCCH IT COSTS.

Century plants are rare and must be well paid for. The pleasure of seeing ourselves, as we are, in the van of civilization," &c., will cost, in round numbers, about \$7,500,000. This was the estimate given yesterday by the secretary of Governor Bigler, at the St. Nicholas Hotel, in answer to the query as to how much money it would really take to carry through the enterprise successions.

really take to carry through the enterprise successfully. Five millions, he said, had already been raised, and the Centennial Board of Finance is in hopes of soon securing the remainder. Every patriot shares their hope, for the World's Fair in Philadelphia will reflect as much credit upon the United States as those of London, Paris and Vienna did upon England, France and Austria. It will demonstrate to Columbia is, indeed, sie happy land and the great laud that we boast of. It will selence the cavil of lican form of government is unfavorable to the hignest development of civilization, by showing them what we have accomplished in science, agriculture, manufactures, art and in everything clae.

nignest development of civilization, by showing them what we have accomplished in science, agriculture, manufactures, art and in everything else.

THE AFPEAL FOR MONEY.

The appeal for money which is now being made has already met with considerable success. Governor Bigler's secretary stated yesterday that great encouragement had been given the Beard of Finance in New York. The readers of this journal will remember that Mr. A. T. Stewart has given \$10,000, and it is confidently hoped that other millionnaires will also said in the enterprise. The appeal to the people of this city was signed by a number of the most distinguished citizens of New York, and it has awakened a general interest which, it is to be hoped, will be shown in a practical way. There is no doubt that the Exhibition will greatly circle the country, as the thousands and thousands of loreigners who will be attracted intereby it will undoubtedly spend millions of glollars in Philadelphia and New York and also in our other cities which they will probably take the occasion to visit. Hence it is in the interest of every business man in New York that the enterprise should succeed. It has been estimated that the railroads, traces and industries of London realized extraprofits of nearly seventy million dollars by the International Exhibition of 1861.

Applications for space continue to come in very rapidly. The applications are made in Philadelphia, although many of the New York application, the description of the article to be exhibited, the space desired clongth, breadth or spaces continue to come in very rapidly. The applications are made in Philadelphia, although many of the New York application, the description of the article to be exhibited, the space desired clongth, breadth or square feet), and the kind of space that is wanted. These application, the description of the article to be exhibited, the space desired clongth, breadth or square feet), and the kind of space that is wanted. These applications are also humbers, so the filed out. These app

withinous an assues, but he was at floory to state that some of the most valuable and diest pictures of Europe would be at the Centennial Exhibition. French artists will be particularly well represented.

Governor Bigler's headquarters, at the St. Nicholas Hotel, afford some interesting scenes. There are all sorts of visitors, impelled by all sorts of motives. Among the visitors yesterday was M. A. Smider Pellegrini, a Frenchman, whose suave manners were quite refreshing to benoid. M. Pedigrini, who is a fine, dignified oid man, said he had some valuable pictures, some at his residence in Paris, others in Rome, and still others in London. Some of these were works of the old masters, and no especially mentioned several by Paul Veronese and a Volus by Titiap. In that English Jargon which is peculiar to refined Frenchmen is laquires whether these pictures would be admitted to the art exhibition. In his expression, the residence of the principal and good naturedly, "at every World's Fair that has ever been held. In 1851 I exhibited my gallery in London, in 1865 in Paris, in 1862 again in

A NEWARK SCHOOL TEACHER IN

ination was made into the case of J. Ward Smith, principal of the Spruce street public school, who principal of the Sprince street publis school, who was arrested on Saturday on a charge preferred by Mr. James Magnire, of No. 316 Broome street, who alleged that Smith had cruelly and wantonly castigated a pupil, a son of the conjeniant. The first accounts of the shaft told of a deal of brutality on the part of Smith which the evidence resterday did not corroborate. Still the Justice considered there was enough in the case to watranthim in holding it for the sotion of the higher courts. Mr. Smith was, therefore, held to ball, his secilares his ability to prove that he used no undue severtly. MUNICIPAL NOTES.

The Committee on Finance of the Board of Alermon at its session yesterday decided to report favorably upon the bill of expenses incurred in the entertainment of the Lord Mayor of Dublin.

The Committee on Public Works will report to the Board of Aldermen on Thursday in favor of allowing the Department of Docks to fil up Coonties Slip by crabbing at day's works and or-dering the Street Cleaning Department to dump ashes and dirt from the street into the slip when the work is begun. It is said that the filling in of this slip will give the city twenty lots, worth

of this slip will give the city twenty lots, worth \$400,000.

The balance in the Chamberlain's hands January 23 was \$1,180,186 87; receipts during the week, \$2,051,319 09; payments, \$1,405,187 80; balance week ending the 30th uit, (Saturday), \$1,735,917 90.

The Corporation Counsel and Commissioner Van Nort, who, with the Mayor, compose the Board of City kacord, met pesterday in the Mayor's office when Mr. Brown, the publisher of the Record, complained that the Comptroller would not approve his sureties, which had prevented him from bringing suit for the moneys due him as publisher. The matter was referred to the Corporation Counsel for his opinion.

The matter was referred to the Corporation Counsel for his opinion.

Register Jones has made the following appointments:—Deputy Register David Lenox, Assistant Deputy Robert McKay, in place of Mr. Forb; Chattel Martgage Clerk John White, in place of Colonel Dengier; Collector Thomas Mulliran, Private Secretary Captsin Plummer, Private Messenger William Uliman. Several recording clerks were also appointed.

Lawrence W. Jerome, Charles B. Broome and Gerard Betts were among the visitors at the Mayor's ames yesterday.

THE METHODIST MINISTERS.

With the new year the Methodist Preachers' Acwith the new year the Methodist Preachers' Association adopted one new feature which is likely
to become a permanency among them and to be of
great evantage to them. On the first Monday in
every month, heretofore devoted to prayer and
the narration of experience, one of their number
preaches a sermon, and for the time being becomes
a leader and instructor to his brethren. Those occasions, which is previous years had been very sparsely attended, have become now the most interesting meetings of the month. Dr. B. M. Adams led the way last mouth, and yesterday the Rev. Wil-liam Lloyd, of Poughkeepsis, followed in a sermon full of power and point from the words, "What think ye of Christ?" He referred to the dual ma-

think ye of Christ?" He referred to the dual nature in Christ, and to the manifestation of that insture both as the Lamb of God and as the Lion of the Tribe of Judah. To His iriends he appeared as the former, but to His enemies in the latter, aspect.

Father Wilbur, one of the pioneer Methodiat missionaries in Oregon, and for the last fourteen years a missionary among the Asimo indians and at present the government agent there, was invited to say something about his protégés. The tribe numbers of the Church. This is, as Dr. Foss remarked, a greater sloporition of members to population than can be found in this vicinity. But Father Wilbur promptly exceeded these nigures by reference to abother agency in Round Valley, Cal., where, in a population of less than 3,500, within eight months.

ewee to abother agency in Round Valley, Cal., where, in a population of less than 3,500, within eight months

NINE HUNDRED INDIANS HAVE BEEN CONVERTED and united with the Onurch. In his own agency they have 10,000 acres ienced in and 3,000 acres inner cultivation, and during the past five years they have raised over 100,000 bushels of grain. They have two ohurches, schools, saw mills, obact-smiths' and other shops, a grist mill, saw mill and other like things, all built and worked by themselves. They have houses as neat and comfortable as the white men innabit, and their cnurches are so clean toat when a man kness he has no need to brush his clothes therealter. Father Wibur declares that if the military were witherawn altogether from the indian reservations the missionaries and the thristian agents of the government could with the plough and the Gospel keep the Indians at peace evermore. Since he has nad charge of the agency the tribe has increased 500, so that the plea that civilization kins the indians is not sutained by his observation nor by facts.

Dr. Jeffrey, Hev. J. Hyatt Smith (Baptists), of Brookiyo, and others, were present. Mr. Smith was, introduced, and brisily addressed his Methodist brethren in piquant, humorous remarks. Next Monday the Rev. C. M. Eggeston will read an essay on the peculiar relations of Methodist uninisters to each other. A great many ladies were present at the service yesterday.

MARRIAGES AND DEATHS.

Stevens' church.

Laviene—Antoine,—On January 28, at the Churce of St. Vincent de Paul, F. Laviene, of New York, to Marie Antoine, of West Hodoken.

MILSOM—Dale.—At St. Mary's, Liverpool, January 4, 1875, Dr. Thomas Milsom to Miss Emily Dale.

DALE.

PHELAN—HANNEGAN,—On Wednesday, Jaduary 20, at the residence of the bride's parents, Forgnam, by the Rev. C. Petit, S. J., James J. Phelan to Seraphine Hannedan. No cards.

Bealury—Sayres.—At Jamesca, L. I., on Thursday, 28th uit., at the residence of the bride's parents, by Rev. George Williamson Smith, John H. Seabury, M. D., and Mattie Sayres, daughter of Gibert Sayres, Seq.

Sekinner—Goldente.—On Thursday, Jaduary 21, by, the Kev. A. D. Gillette, D. D., Edward L. Seriner, Series, C. Aduotr, N. Y., to Julia H. Goldsmith, of New York City.

Walker—Adams.—On Joly 80, 1874, Henry M. Walker to Emma Ferdinand Adamson, by the Rev. Dr. Abercrombie.

DIED.

WALKER 10 EMMA PERDINAND ADAMSON, by the Rev. Dr. Abercrombie.

DIED.

Beishaw.—On Saturday, January 30, Elizabeth Belshaw, widow of James Belshaw, deceased, in the 71st year of her age.

The tuneral will take place from the residence of her son, R. Heishaw, 201 Weat Thirty-Irst street, on luesday, February 2, at one o'clock P. M.

Berry.—On Saturday morning, January 30, suddenly, of embotism of the heart, Thomas 8, Berry, born March 27, 1811.

The relatives and friends of the lamily are thylicided to attend the rineral, from his late residence, 18 West Forty-lourth street, this (Tuesday) afternoon, at four o'clock

Bradley.—On Sunday morning, January 31, at Portchester, of pleuro-paeumenia, Walton Shabley, son of William C. and Charlotte L. Bradley, formerly of Brooklyn, aged 31 years.

Relatives and itends are invited to attend the funeral services, at Rose street Presbyterian church, Hrooklyn, E. D., on Wednesday, 3d inst., at hall-past one P. M.

Branny.—On Monday, Pebruary 1, Sophia Maria, danguter of John and Sophia Strandt, aged 2 years, e months and the funeral, from the residence of her parents, 89 Morton street, on Wednesday, 3d inst., at one o'clock P. M.

Brann.—On Sonday, January 31, after a short illness. Joan Braun, aged 1 years.

Relatives and Grends and the members of Pythagoras Lodge, No. 88, Brooklyn Saengerbund and Wildows and Grphase' Society, are respectfully invited to attend the immortal properties of the funeral, from the residence of her parents, 89 Morton street, on Wednesday, 3d inst., at one o'clock P. M., from the residence of some street of the funeral formeral hereafter.

Relatives and Grends and the members of Pythagoras Lodge, No. 88, Brooklyn Saengerbund and Wildows and Grphase' Society, are respectfully invited to attend the funeral from 21st Secondar Science, 180 and 180

tend the funeral, from the Gethsemane Baptist church, Willoughby avenue, near Broadway, Brooklyn, on Tuesday, February 2, at two o'clock P. M.

Brooklyn, on Tuesday, February 2, at two o'clock P. M.

Delapierre.—On Sonday, January 31, Albert Delapierre. On Sonday, January 31, Albert Delapierre. In the 55th year of his age.

Relatives and friends of the family are respectfully invited to attend the inneral, from his late residence, No. 500 De Kalb avenue. Brooklyn, on Tuesday, February 2, at one o'clock P. M.

Dermody.—On Monday, February 1, Hattie, only chile of James and Harriet Demody, aged 8 months and 5 days.

The funeral will take place from the residence of her parents, No. 17 city Hall blace, on Tuesday, February 2, at half-past one P. M. Her remains will be taken to Calvary Cemetery for interment.

Dowling.—On Monday, February 1, Bridger, beloved wife of Thomas C. Dowling.

Funeral from her late residence, 2,200 Second avenue, on Wednesday, at half-past twelve P. M. Relatives and friends respectfully invited.

Dunleaver,—On Sunday, Jabuary 31, Elizabers Dunleaver,—On Sunday in the family are respectfully invited to attend the funeral, from her late residence, No. 110 Lewis attrect, on Tuesday, February 2, at half-past two o'clock P. M.

Dunning.—On Monday, February 1, at a quarter past eight o'clock A. M. Hausier Dunning, widow of the late Oliver Dunning, in the 82d year of her age.

The relatives and friends of the family are re-

of the late Oliver Dutning, in the sixt year of her age.

The relatives and friends of the family are respectfully invited to attend the inneral, from the residence of her son, William H. Dunning, 184 west Sixteenth streat, on Wednesday, February 3, at hair-past three o'clock P. M. The remains will be interred in Marbie Cemetery, Second street.

FAY.—On Monday, February 1, 1875, at his residence, No. 57 Spring street, Michael, eldest son of Lawrence and Annie Fay, in the 22d year of his age.

deacs, No. 57 Spring street, Micharl, eldesson of Lawrence and Annie Fay, in the 22d year of his age.

The relatives and friends are respectfully invited to attend the Juneral, on Wednesday, February 3, at one o'clock P, M.

Australis and Dubuque papers please copy.

FREEMAN.—On Saturday, January 30, of pneumonis, Martha G., beloved wile of Edward M. Freeman, in the 30th year of her age.

Relatives and friends are respectfully invited to attend the funeral from her late residence, No. 641

Leonard street, Greenpoint, L. L., on Tuesday, February 2, at eleven o'clock A. M.

GRAY.—On Sunday, January 31, KATE A., wife of William Gray.

Relatives and friends are invited to attend her funeral, from her late residence, No. 100 St. James place, between Greene and Gates avenues, on Wednesday, February 3, at two P. M.

Hargedon.—On Sunday, January 31, after a short lilness, Micharl Hargedon.

The relatives and friends of the family, and also of his son-in-law, James Klernan, are respectfully invited to attend the funeral, from his late residence, 112 West Sixteenth street, this (Tuesday) morbing, February 2, at hair-past ten o'clock; St. Francis Xavier chiroth, West Sixteenth street.

Ikons.—At Freehold, N. J., on Saturday, January 30, 1875, George H. Irons, in his 39th year.

The relatives and friends of the samily are requested to attend the funeral from his late residence, in Freehold, on Wednesday next, at eleven o'clock A. M.

KEENE.—On Sunday morning, the 31st ult.,

SAMUEL S. KEENE, in his 29th year.

The inneral will take place, from his late residence, at Montrose, N. J., on Thursday, the 4th list, at balk-past twelve P. M. Train leaves New York at Hilb A. M., Morris and Essex Rairoad.

KEOGH.—On Sunday, January 31, Miss Mass Pramogs A. Keogh, aged 97 years, for many years at eacher.

The funeral will take place from her late residence, No. 93 Tenta svenue, near Sixty-first

FRANCES A. KEOGE. aged 97 years, for many years a teacher.

The funeral will take place from her late residence, No. 933 Tenth avenue, near Sixty-first atrect, on Wednesday morning, at eleven o'clock. The remains will be conveyed to the Church of St. Paul the Apostle, Fitty-ninth atreet and Ninth avenue, where a solemn requiem mass will be offered for the repose of her soul.

KLOFFER.—At his late residence, in Darlen, Conn., on Saturday, January 23, Anthony Kloffer.

nue, where a solemn requiem mass will oc oflered for the repose of her soul.

KLOPPER.—At his late residence, in Darien,
Conn., on Saturday, January 22, Anthony Elopper,
in his 73d year.

Levy.—Martha Levy, aged 2 years and 10
months, daughter of Solomon and Lenchen Levy.

The relatives and riends of the family are
respectfully invited to attend the funeral, ou Tuesday, February 2, at one o'clock.

Hamban.—On Sunday, January 31, at the House
of the Good Shephered, Johannah Linehan (in religion, Sister Mary St. Aloyshus).

Livingston.—At Trenten. N. J.. on Monday, the
lat 10st., Alfred S. Livingston, in the 62d year of
his age.

The relatives and friends of the family are respectfully invited to attend the funeral, irom Trinity Protestant Episcopal church, at Trenton, on
Thursday, the 4th 10st., at hair-past twelve o'clock.

Lyell.—On Monday, February 1, 1875, Janer
Johnston, a native of Alyth, Scotland, wile of
James Lyell.

Relatives and friends are respectfully invited to
attend the funeral, from her late residence, 304
West Eighteenth street, on Wainesday, the 3d
inst., at one o'clock P. M.

Magyarlan.—Suddenly, on Sabbath morning,
Annie S. daughter of Duncan and Hannah Macfaffan, aged 15 years.

Puneral from the residence of her parents, at
Hawthorne, N. J., at eleven A. M. on Thesday,
February 2. Remains to be taken to Greenwood
Commetery.

Messinger.—In this city, op January 31, Mary
E. Ames, wife of Charles H. Messinger.

Funeral services will be held at No. 45 Wess
Eleventh street, on Wednesday, at hait-past
eleven o'clock. Friends of the lamily are invited
to attend. The remains will be taken to Woodlaw Cemetery.

Messinger.—In this city, op January 31, Mary
wife of John A. Morris.

The relatives and friends are invited to attend
the funeral, from the Methodist Episcopal church,
astoria, L. L., on Wednesday, February 3, at one
o'clock P. M.

McDonald.—On January 31, Mary, only daughter
of Edward and Margaret McDonaid, aged 5
years, 6 moutes and 18 february 30, Mary, wife of
Bernard Mendit

Church, corner of avanus B and Elizath street, this requirem mass will be offered for the repose of their sonis. The relatives and friends of the lamity and those of their sons, Charles and Bernard McNeity, are respectfully invited to attend. Nawcoma.—On Saturday, January 30, 1875, ELIZABETH NEWCOMS, WINGOW Of Hon. Obadiah Newcomb, deceased, in the 75th year of her age. Relatives and friends are invited to attend the funeral service, at the residence of her son, Dr. O. Newcomb, 233 East Twelith street, on Tuesday, February 2, at eleven o'clock A. M.

O'NEIL.—On Sunday, January 31, Mary O'NEIL, relict of Charles O'Neil, a native of county Longford, Ireland.

The relatives and triends of the family are respectfully invited to attend her inneral, from the residence of her son-in-law, Bernard Rellip, 48 Degraw street, South Brookin, on Tuesday, February 2, at one P. M.; thence to Calvary Cemerate

remidence of ner son-in-law, Bernard Relly, 486
Degraw street, South Brooklyn, on Tuesday,
February 2, at one P. M.; thence to Calvary Cemetery.

O'Rourke.—On Monday, February 1, the beloved wire of Patrick O'Rourke, in the 58th year of her age.

The relatives and friends, also the friends of her son, George E. Kelley, are respectfully invited to attend the funeral, from her late residence, No. 66
Sheriff street, on Wednesday, February 3, at two o'clock P. M.

Charleston papers please copy.

Pringert.—On Haturday, January 30, in the 18th year of ner age, Estmer, eldest child of the Rev.

T. W. and Mrs. Punnett.

Funeral on Tuesday, February 2, at eleven o'clock, from St. Paul's Memorial church, Edgewater, Statan Island.

Baltimore papers please copy.

Funby.—On Monday eveniur. Pebruary 1, at the residence of her son-in-law, William Trusiow, 119
East Thirty-sixth street, Mrs. Mary Purdy, widow of Josian Purdy, aged 95 years.

Notice of juneral herealter.

Robisson.—On January 31, 1875, Elizabete Robisson, born in London, England, January 3, 1795, aged 89 years and 23 days.

Blessed are the dead that die in the Lord.

Friends of the tambly are respectfully requested to attend the juneral, from her late residence, 846 Second avenue, on Tuesday, February 2, at one o'clock.

Rolph.—In this city, Thursday, January 28, 1875, EMMA Rolph, reliet of John A. Rolph, formerly of London, England, in the 66th year of her age.

Rows.—On Sunday, January 31, Kathile Rowg, the beloved wile of Louis Rowe, of McGregor, lowa, aged 39 years.

The friends and members of Temple Emanuel are respectfully invited to attend ner juneral, from the East Fittleth street, on Wednesday, February 3, at half-past one o'clock.

Schekee.—Suddenly, on Monday, 1st inst., Ma-Halla, Mie o'l Luke Schenck, aged 33 years.

Notice of funeral hereatic?.

Selyll.—But months and 6 days.

Relatives and friends of the family are respectfully invited to attend the funeral, from the residence of his grandather, Mr. T. F. Manning, 244 Plane street, Newarth, N. J.,

washington and noriolk (Va.) papers please copy.

CULLEN.—On Sunday, January 31, Joseph Culter, in the 44th year of his age.

Funeral from his late residence, 219 Ninth avenue, on Tuesday, February 2 at 9.4 M., to 8ix teenth street church, and from thence to Calvary Cometery for interment.

DALY.—On Monday, February 1, Cornellus Daly, in the 69th year of his age.

The relatives and friends of the family, also those of his son-in-law, Ambrose Daly, are invited to attend the funeral, from his late residence, 75 Honry street, on Wednesday, February 3, at two o'clock P. M.

DANIELS.—On Sunday, January 31, Thomas E. Daniels, in the 55th year of his age.

The relatives and friends of the family are invited to attend the funeral services, at his late residence, No. 104 West Porty finh street, on Tuesday, February 3, at two o'clock P. M.

DAVIELS.—On Sunday, January 31, Thomas E. Davies, in the 55th year of his age.

The relatives and friends of the family are invited to attend the funeral services, at his late residence, No. 104 West Porty finh street, on Tuesday, February 3, at two o'clock P. M.

DAVIELS.—On Sunday, January 31, Thomas E. Davies, in the 55th year of his age.

The relatives and friends of the family are invited to attend the funeral services, at his late residence, No. 104 West Porty finh street, on Tuesday, February 3, at two o'clock P. M.

DAVIELS.—On Sunday, January 31, Thomas E. Bayles and Foldence, No. 105 for the City Hail, in the 60th year o' the